

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MATTHEW C. ROSS, #384906 §  
§  
VS. § CIVIL ACTION NO. 4:21cv996  
§  
OFFICER COTTLE, ET AL. §

**ORDER OF DISMISSAL**

This case was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding that Plaintiff's lawsuit should be dismissed without prejudice for want of prosecution. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed,<sup>1</sup> the Court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff's complaint is **DISMISSED** without prejudice. All motions by either party not previously ruled on are hereby **DENIED**.

**IT IS SO ORDERED.**

SIGNED this 4th day of April, 2023.

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> A copy of the Report and Recommendation (Dkt. #35) was returned as undeliverable and marked, "Refused-Not in Custody." (Dkt. #36). Plaintiff has not updated his address with the Court.